

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**RODNEY LLOYD BRADFORD,**

Petitioner,

v.

Civil Action No. **3:12CV73**

**ERIC D. WILSON,**

Respondent.

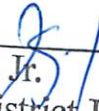
**MEMORANDUM OPINION**

Rodney Lloyd Bradford, a federal inmate proceeding *pro se*, submitted a 28 U.S.C. § 2241 petition. By Memorandum Order entered on December 14, 2012, the Court questioned whether it had jurisdiction to entertain Bradford's § 2241 Petition and directed the parties to file further briefing on the issue.

On July 18, 2013, Bradford moved to voluntarily dismiss. *See* Fed. R. Civ. P. 41(a)(2). Respondent states that he has no objection to the dismissal of the action without prejudice. (Resp. Mot. Voluntary Dismissal (ECF No. 17) 1.) A party's "motion under Rule 41(a)(2) for dismissal without prejudice should not be denied absent substantial prejudice to the defendant." *Andes v. Versant Corp.*, 788 F.2d 1033, 1036 (4th Cir. 1986) (citing *Kenrose Mfg. Co. v. Fred Whitaker Co.*, 512 F.2d 890, 895 (4th Cir. 1972)). Accordingly, Bradford's Motion to Voluntarily Dismiss (ECF No. 16) will be GRANTED. The action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 8/13/13  
Richmond, Virginia

/s/   
John A. Gibney, Jr.  
United States District Judge